

IN RE:	PETITION FOR ZONING VARIANCE	*	BEFORE THE
	N/W inters. of Chestnut Ave.		
	and Charles Street	*	ZONING COMMISSIONER
	500 Chestnut Avenue		
	9th Election District	*	OF BALTIMORE COUNTY
	4th Councilmanic District		
	Loyola High School of	*	Case No. 95-6-A
	Baltimore, Inc.		
	Petitioner	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance from Section 1B01.2.B of the Baltimore County Zoning Regulations (BCZR) to permit a building length of 450 ft. in lieu of the required 300 ft. The variance Petition is filed by Loyola High School of Baltimore, Inc., for the Loyola High School campus located at 500 Chestnut Avenue in Towson. The Petition is filed on behalf of the school by Stephen W. Whalen, Jr., Vice Chairman, Board of Trustees and Chairman of the Building and Grounds Committee.

Appearing at the public hearing held for this case were Father Jack Dennis and Mr. Charles McMahon on behalf of the Petitioner, Loyola High School of Baltimore, Inc. Also appearing on behalf of the Petition was Rick Chadsey and Dean Hoover, Engineers from the firm of G.W. Stephens and Associates, Inc., who prepared the site plan marked as Petitioner's Exhibit No. 1. The Petitioner was represented by G. Scott Barhight, Esquire.

A number of residents of the surrounding community also appeared and testified. They included Mrs. Gail O'Donovan on behalf of the Ruxton-Riderwood Community Association and Ms. Elizabeth A. Sexton from the Chestnut Hill Association.

Testifying on behalf of the property owner was Father Jack Dennis, the Director of Christian Services at Loyola and a member of the faculty.

ORDER RECEIVED FOR FILING

Date

By

8/16/94
M. Brock

MICROFILMED

Father Dennis described the subject property and proposed improvements. Loyola High School is a well known institution which has been located in the Towson area for many years. In fact, Father Dennis testified that the Loyola Campus was moved to its present location in the 1930s and the first building constructed on the property was built in 1933. Subsequently, an addition was built in 1940. The school provides Middle School and High School curriculum for approximately 850 students. Originally, the school was a high school only, however, a middle school serving grades 6, 7 and 8 was started several years ago.

With the institution of the middle school program, the existing facilities have become overcrowded and additional classroom space is needed. An addition is proposed to the existing classroom building known as Wheeler Hall. The addition will be 48,000 sq. ft. and will contain three floors. It will provide much needed classroom space for the math, religion, computer science, history and other departments. Additional office space and a chapel will also be provided. Father Dennis repeatedly emphasized that the addition is planned not to accommodate an expansion in Loyola's enrollment, only to provide additional classrooms for the existing number of students. At present, Loyola averages between 830 and 880 students per year.

Charles McMahon, a Real Estate Development Advisor and a member of the school's buildings and grounds committee also testified. He described the purpose of the proposed building addition and the need to connect the existing building with the proposed addition. He believes that it is proper to provide one single structure for the school's classrooms and student activities. This will prevent students from having to travel outside during inclement weather to change classes and will also provide a centralized facility to meet educational needs of the high school. He

COPIES RECEIVED FOR FILING
Date 8/10/90
By M. J. Good

also described in great deal the building style of the addition including the efforts which were made to ensure that the addition is architecturally compatible with the existing improvements.

Also testifying was Rick Chadsey, an engineer with G.W. Stephens and Associates. He further described the subject property and the proposed addition. He also addressed several comments contained within the Zoning Plans Advisory Committee(ZAC) memorandum from the Office of Planning and Zoning. He opined that the building will be entirely appropriate with the existing campus and neighborhood. He also discussed the requirements contained within Section 307 of the BCZR as they relate to variance relief. In his opinion, the Petitioner will suffer practical difficulty if the variance is denied. Moreover, the relief proposed is consistent with the spirit and intent of the BCZR and will not be detrimental to the welfare of the surrounding locale. As he particularly observed, the Loyola property is significantly sized (55 acres) and is zoned D.R.2. He believes that the proposed addition where located is the best place for expansion on the campus.

A number of surrounding community representatives testified including Gail O'Donovan, Elizabeth Sexton and Nancy W. Horst. It is to be emphasized that none of these neighbors object to the proposed addition and the variance, per se. That is, they believe that Loyola has made appropriate efforts to construct a compatible building to satisfy space needs and applaud the high school for its efforts in assuring that the addition will blend with the existing improvements on campus and the surrounding community.

The Protestants' concerns, however, relate to other factors. Specifically, they are worried about the general growth in the Towson area and the number of institutions in the immediate vicinity. They note that the

8/16/90
M. Horst

Board of Education has plans for an expansion of the Greenwood Campus up the street and that several large nursing homes have been constructed in the area in recent years. They believe that the demands created by these large institutional uses in the area overload the infrastructure. Concerns over increased traffic, congestion and the like were expressed.

As I observed on the record at the public hearing, the issues before me are narrow and relate to the Petition for Variance from the strict application of Section 1B01.2.B. of the BCZR. The variance requested only relates to the size of the addition which, when coupled with the existing structure will result in a building of 450 ft. in length. This is larger than the 300 ft. allowed as of right in a D.R.2 zone. Thus, I can consider only issues which relate to a variance from this section.

Nonetheless, Loyola appears to have made significant efforts to work with the community and assure that their plans are compatible with the neighborhood. In this respect, a letter was authored on the stationery of Loyola High School dated August 1, 1994. This letter was offered by Stephen W. Whalen, Jr., Chairman of the School's Building and Grounds Committee, and set forth eight conditions which the school agreed to be bound in connection with its expansion. Most of these conditions related to additional traffic studies and efforts that the school would make to decrease traffic congestion in the vicinity and particularly on the neighborhood streets immediately nearby. Under the circumstances, I will incorporate the comments within this correspondence as a restriction to this Order. As noted above, these comments appear to reflect the agreement reached by and between the school and the surrounding community associations and are appropriate.

Also, the Office of Planning and Zoning offered certain ZAC comments addressed by Mr. Chadsey as noted above. In this respect, I will require

Loyola to construct its addition in a manner substantially similar to the schematic renderings produced at the hearing. It is to be noted that these plans have also been reviewed by John McGrain on behalf of the Landmarks Preservation Committee and have been approved. Thus, the size, massing, materials and composition of the building shall be substantially similar to those shown in the renderings.

Lastly, I will also require the Petitioner to produce a landscape plan to be approved by Mr. Avery Harden, the County's Landscape Architect. Mr. Chadsey indicated that the property owner would be required to follow to submit such a plan and voiced no objection to a restriction requiring same within the zoning Order. This will allow Mr. Harden to review and approve the area of disturbance of the existing trees and suggest replacement plantings. I have no doubt that Loyola will continue to be a good neighbor to the communities and take the appropriate steps to build an addition which will be compatible with the existing improvements on the property and uses in the neighborhood.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of August, 1994 that a variance from Section 1B01.2.B of the Baltimore County Zoning Regulations (BCZR) to permit a building length of 450 ft., in lieu of the required 300 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

ORDER RECEIVED FOR FILING
Date 8/16/94
By M. Good

MICROFILMED


reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The terms, conditions and agreements as contained within the correspondence from Loyola High School to the Ruxton-Riderwood-Lake Roland Area Improvement Assn, Inc. dated August 1, 1994 (Petitioner's Exhibit No. 9 attached) be and are hereby incorporated within this Order as conditions precedent to the granting of the variance relief.

3. The Petitioner shall submit a landscape plan for review and approval by the County's landscape architect.

4. The building materials and colors, as well as the height, bulk, and general architectural character of the proposed addition shall be compatible to the existing building (Wheeler Hall) and surrounding community.

5. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/nmm

ORDER RECEIVED FOR FILING

Date

5/16/90

By

Mr. Gorch

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 12, 1994

G. Scott Barhight, Esquire
4th floor
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 95-6-A
Petition for Variance
Loyola High School of Baltimore, Inc., Petitioner

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Rev. Jack Dennis, S.J., Director, Loyola High School
Rick Chadsey & Dean Hoover, G.W. Stephens and Assoc.
Mrs. Gail O'Donovan, Ruxton-Riderwood Community Assoc.
Mrs. Elizabeth H. Sexton, Chestnut Hill Assoc.
Mrs. Nancy W. Horst

1994 AUG 15 10 11 AM





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at

500 Chestnut Avenue

which is presently zoned D.R. 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B01.2-B to permit a building length of ~~300~~ feet in lieu of the required 300 feet

450
685

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

to be presented at the hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight

(Type or Print Name)

Signature

4th Floor

210 W. Pennsylvania Ave 832-2050

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Loyola High School of Baltimore, Inc.

(Type or Print Name)

By:

Signature

Stephen W. Whalen, Jr.

Vice Chairman, Board of Trustees

(Type or Print Name)

Signature

500 Chestnut Avenue

Address

832-2050

Phone No.

Towson, MD 21204

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

G. Scott Barhight

Name 4th Floor

832-2050

210 W. Pennsylvania Ave, Towson, MD 21204

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY

DATE

6/7/94

7/1/94



Printed with Soybean Ink
on Recycled Paper



#4

95-6-A

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR., & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

Description to Accompany
Petition for Variance.

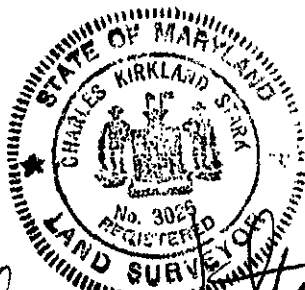
July 6, 1994

Beginning for the same at a point distant 370 feet more or less North 39° 20' West from a point in the center of Chestnut Avenue which point is distant 25.00 feet North 9° 40' East and 214.50 feet North 57° 49' East from the intersection of the center line of Chestnut Avenue relocated with the center line of Charles Street Avenue thence

- 1 - North 58° 11' West 205 feet more or less thence
- 2 - South 31° 49' West 113 feet more or less thence
- 3 - North 58° 11' West 150 feet more or less thence
- 4 - North 31° 49' East 88 feet more or less thence
- 5 - North 58° 11' West 95 feet more or less thence
- 6 - North 13° 11' West 157 feet more or less thence
- 7 - North 76° 49' East 227 feet more or less thence
- 8 - South 13° 11' East 90 feet more or less thence
- 9 - South 58° 11' East 167 feet more or less thence
- 10 - North 31° 49' East 103 feet more or less thence
- 11 - South 58° 11' East 170 feet more or less and thence
- 12 - South 31° 49' West 286 feet more or less to the place of beginning.

Containing 3.1 acres of land more or less.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY.



Charles K. Stark

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-6-17

District 9th Date of Posting 7/12/94

Posted for: Variance

Petitioner: Loyola High School of Balto.

Location of property: 500 Chestnut Ave, NW intersection
of Chestnut & Church St.

Location of Signs: Facing roadway, on property being zoned

Remarks: _____

Posted by [Signature] Date of return: 7/22/94
Signature

Number of Signs: 1

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #93-6-A
(Item 4)

600 Chestnut Avenue
NW Intersection of
Chestnut Avenue and
Charles Street
9th Election District
4th Councilmanic
Petitioner(s):

Loyola High School of
Baltimore, Inc.
Hearing: Friday,
August 5, 1994 at 10:00
a.m. in Rm. 106, County Of-
fice Building.

Variance to permit a building
length of 450 feet in lieu of the
required 300 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.
7/21/94 July 21.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

July 22 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 21, 1994.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

~~Published~~

www.ohs.org



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

John Lewis
receipt

95-6-A

Account: R-001-6150

Number

04

By JLL

Date

6/7/94

7/7/94

1 NON RES VAR. CODE 02 \$ 250.00

(2) SIGNS CODE 080. \$ 70.00

1 ON CHESTNUT 1 ON CHARLES

\$ 320.00

OWNER: Loyola High School of Balto. Inc.

Loc. 500 ~~Chesnut~~ Chestnut Ave

MICROFILMED

01A01#0065MILHRC

\$320.00

BA 0011:12AM07-07-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 04

Petitioner: Loyola High School of Balto. Inc.

Location: 500 Chestnut Ave.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: G. Scott Barhight

ADDRESS: 4TH FLR. 210 WEST PENNSYLVANIA AVE

TOWSON MD 21204

PHONE NUMBER: 832 2050

AJ:ggs

MICROFILMED

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY
July 21, 1994 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue, 4th Floor
Towson, Maryland 2050
832-2050

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-6-A (Item 4)
500 Chestnut Avenue
NW intersection of Chestnut Avenue and Charles Street
9th Election District - 4th Councilmanic
Petitioner(s): Loyola High School of Baltimore, Inc.
HEARING: FRIDAY, AUGUST 5, 1994 at 10:00 a.m. Rm. 106 County Office Bldg.

Variance to permit a building length of 450 feet in lieu of the required 300 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 14, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-6-A (Item 4)
500 Chestnut Avenue
NW intersection of Chestnut Avenue and Charles Street
9th Election District - 4th Councilmanic
Petitioner(s): Loyola High School of Baltimore, Inc.
HEARING: FRIDAY, AUGUST 5, 1994 at 10:00 a.m. Rm. 106 County Office Bldg.

Variance to permit a building length of 450 feet in lieu of the required 300 feet.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Loyola High School of Baltimore, Inc.
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 25, 1994

G. Scott Barhight, Esquire
Fourth Floor
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 95-6-A, Item No. 4
Petition for Variance
Petitioner: Loyola High School of Baltimore, Inc.

Dear Mr. Barhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on July 7, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



Zoning Plans Advisory Committee Comments
G. Scott Barhight, Esquire
Date: July 25, 1994
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm
Enclosure

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

July 20, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #4 - Loyola High School
500 Chestnut Avenue
Zoning Advisory Committee Meeting of July 18, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

/
JLP:VK:sp

LOYOLA/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/19/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 2, 3, 5, AND 6.

RECEIVED
JUL 20 1994

REVIEWER: LT. ROBERT P. SAUERWOLD
Fire Marshal Office, PHONE 887-4881, MS-1102F

ZADM

cc: File

RECORDED





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

August 3, 1994

Ms. Julia Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
MD 139
Loyola High School
Variance Request
Item #*4 JLL
Mile Post 2.41

Dear Ms. Winiarski:

This office has reviewed the referenced plan for the referenced site and offer the following:

In a previous review of a median break and access approval request conducted by our Traffic Section for the State Highway Administration (SHA) in this area, and in a letter dated May 4th to Mr. Rick Chadsey of George W. Stephens, Jr. and Associates, we indicated the following:

Our Traffic Section has notified us that they have approved your request to allow direct access from the school onto MD 139 via a right-in/right-out only entrance at the requested location indicated on the plan.

However, although they understand the school's concerns regarding separating vehicular and pedestrian traffic on the school property, they cannot support the additional request to allow a median break adjacent to the proposed entrance since the 600' spacing at the median break location would be less than the SHA criteria of 750'.

They would only consider an exception to this decision if the school can demonstrate an extreme benefit to public safety through Mr. Charles Harrison, District Engineer for this area. Mr. Harrison can be reached at 410-321-3461.

Therefore, we have no objection to approval of the variance request to permit a building length of 450' in lieu of the required 300'. Our aforementioned comments regarding the proposed access onto MD 139 remain valid.

Handwritten signature/initials

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Julia Winiarski
Page Two
August 3, 1994

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this plan.

Very truly yours,

A handwritten signature in black ink that reads "David Ramsey". The signature is written in a cursive style with a large, stylized "D" and "R".

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/es

cc: Mr. C.R. Harrison
Mr. Darrell Wiles

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

September 1, 1994

(410) 887-4386

Ms. Nancy W. Horst
7819 Ellenham Avenue
Towson, Maryland 21204

RE: Case No. 95-6-A
Petition for Zoning Variance
Loyola High School of Baltimore, Inc.

Dear Ms. Horst:

Confirming our recent telephone conversation, kindly accept my apologies for mis-identifying Mrs. Gail O'Donovan as representative of the Ruxton-Riderwood Community Association at the hearing regarding the above captioned case. As I indicated, I attempt to keep notes of the testimony and evidence offered in the proceeding but, apparently, incorrectly recorded the identity of your community association's representative. I understand that you are the duly designated zoning representative for matters such as this and you were, indeed, present and testified at the hearing, on this case, on behalf of the Ruxton-Riderwood-Lake Roland Improvement Association, Inc. I have included a copy of this letter in the case file so as to reflect your attendance and participation at the hearing.

Thank you for bringing this to my attention.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

MICROFILMED



95-6-A

RE: PETITION FOR VARIANCE *
500 Chestnut Avenue, NW intersection *
of Chestnut Avenue and Charles St. *
9th Election Dist., 4th Councilmanic *
Loyola High School of Baltimore, Inc. *
Petitioner *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-6-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of July, 1994, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Esquire, 210 W. Pennsylvania Avenue, 4th Floor, Towson, MD 21204, attorney for Petitioner.

RECEIVED

JUL 21 1994

ZADM

Peter Max Zimmerman

PETER MAX ZIMMERMAN

NOT RECORDED

#04

Post

2 signs

one on
each street
Chestnut Ave and
Charles St.

NOT RECORDED

H.O.

04

Per conversation with Dev engs + Atty
[No RTA] will be confirmed for Hearing
for the new parking areas and the Bldg addition.

Also max bldg height (50') to be confirmed.

No prev hearings.

J. Lewis 6/7/94



MICROFILMED

ADDRESS

600 Greenwood Rd 21704

P.O. Box 204 RIDERWOOD 21139

600 Chestnut Ave 21204

7819 ELLENHAM AVE. 21204

602 Chestnut Ave. 21204

505 Chestnut Ave. 21204

803 TRAFALGAR RD. 21204

803 Trafalgar Rd. 21204

8211 BURNLEY RD. 21204

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

CHARLES MCMAHON

BOX 9377

GUENOCHE, MD 21152

JACK DENNIS, SJ

500 CHESTNUT AVE. / TOWSON 21204

RICK CHADSEY

1058 KEWILWORTH DR 21204

DEAN HOOVER

658 KEWILWORTH DR 21204



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 2, 1994

SUBJECT: 500 Chestnut Avenue

INFORMATION:

Item Number: 4

Petitioner: Loyola High School of Baltimore, Inc.

Property Size: _____

Zoning: D.R. 2

Requested Action: _____

Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided, staff offers the following comments:

Loyola High School is located within the Towson Community Plan, in a Community Conservation area (Outer Neighborhoods). Charles Street is designated as a scenic route in the Baltimore County Master Plan. The proposed classroom/chapel addition is to Wheeler Hall, a significant 20th century stone building listed on the MHT Inventory #BA2232. The Baltimore County Landmarks Commission has reviewed the rendering, elevations and floor plans of the proposed addition and found them appropriate.

Since the proposed addition to Wheeler Hall will cause the total building length to exceed 200', the C.M.D.P. requires that the Director of Planning make a compatibility recommendation to the Zoning Commissioner. This office will make a favorable recommendation concerning the building length Variance request for 450' provided the following occurs on a revised plan:

1. Building materials and colors, i.e. stone building, slate roof, should be specified by note.
2. The height, bulk, proportion of openings, roof treatment and general architectural character are acceptable as shown on architectural elevation drawings presented to this office. Those drawings should be made part of the zoning petition file (and a restriction should be placed in the order).

**PETITIONER'S
EXHIBIT NO. 2**

3. Tree preservation along Charles Street is indicated on the illustrated rendering; show a limit of disturbance line on the plan to preserve the trees as seen from Charles Street.
4. The new entrance driveway approved by S.H.A. is to be right in and right out only, note accordingly on the plan.
5. If new lighting is proposed, its location should be shown on the plan along with a light standard detail.

Prepared by: _____

Division Chief: _____

PK/JL:lw



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

May 4, 1994

Mr. Rick Chadsey, P.E.
George W. Stephens, Jr. and
Associates
658 Kenilworth Drive
Suite 100
Towson, Maryland 21204

RE: Baltimore County
MD 139
Loyola High School
Charles Street
Access request approval
Mile Post 2.14

Dear Mr. Chadsey:

This is in reference to our ongoing review of the subject development.

We have been notified by our Traffic Section that their review is complete.

They have approved your request to allow direct access from the school onto MD 139 via a right-in/right-out only entrance at the requested location.

However, although they understand the school's concerns regarding separating vehicular and pedestrian traffic on the school property, they cannot support your additional request to allow a median break adjacent to the proposed entrance since the 600' spacing at the median break location would be less than the State Highway Administration's criteria of 750'.

They would only consider an exception to this decision if the school can demonstrate an extreme benefit to public safety through Mr. Charles Harrison, District Engineer for this area. Mr. Harrison can be reached at 410-321-3461.

If you have any questions or require additional information, please contact Bob Small of this office at 410-333-1350.

RECEIVED

**PETITIONER'S
EXHIBIT NO. NO 3**

MAY 9 1994

GEORGE WILLIAM STEPHENS JR.
& ASSOC., INC.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Mr. Rick Chadsey
Page Two
May 4, 1994

Thank you for the opportunity to review this request.

Very truly yours,

A handwritten signature in cursive script that reads "David Ramsey".

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/es

cc: Mr. C.R. Harrison
Mr. Darrell Wiles

WASHINGTON



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

August 3, 1994

Ms. Julia Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
MD 139
Loyola High School
Variance Request
Item #*4 JLL
Mile Post 2.41

**PETITIONER'S
EXHIBIT NO. 1**

Dear Ms. Winiarski:

This office has reviewed the referenced plan for the referenced site and offer the following:

In a previous review of a median break and access approval request conducted by our Traffic Section for the State Highway Administration (SHA) in this area, and in a letter dated May 4th to Mr. Rick Chadsey of George W. Stephens, Jr. and Associates, we indicated the following:

Our Traffic Section has notified us that they have approved your request to allow direct access from the school onto MD 139 via a right-in/right-out only entrance at the requested location indicated on the plan.

However, although they understand the school's concerns regarding separating vehicular and pedestrian traffic on the school property, they cannot support the additional request to allow a median break adjacent to the proposed entrance since the 600' spacing at the median break location would be less than the SHA criteria of 750'.

They would only consider an exception to this decision if the school can demonstrate an extreme benefit to public safety through Mr. Charles Harrison, District Engineer for this area. Mr. Harrison can be reached at 410-321-3461.

Therefore, we have no objection to approval of the variance request to permit a building length of 450' in lieu of the required 300'. Our aforementioned comments regarding the proposed access onto MD 139 remain valid.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Julia Winiarski
Page Two
August 3, 1994

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this plan.

Very truly yours,

A handwritten signature in cursive script that reads "David Ramsey".

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/es

cc: Mr. C.R. Harrison
Mr. Darrell Wiles

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Diana Itter
Office of Planning

DATE: July 28, 1994

FROM: John McGrain
Office of Planning

SUBJECT: Loyola High School Classroom Expansion

A five-member committee of the Landmarks Preservation Commission met at Xavier Hall on July 27 with Mr. Steve Whalen, chairman of the school's planning committee. The commission examined renderings, elevations, and floor plans of the proposed addition to Wheeler Hall. The members present were:

Mr. Jeff Lees, architect
Mr. Martin P. Azola
Mr. Paul F. McKean
Mr. Timothy M. Rodgers
Dr. Rhoda Dorsey.

The members found the plan acceptable in relation to the existing Wheeler Hall. In fact, the members were favorably impressed with the entire concept, the reasoning behind the placement of the structures, and the landscaping and signage. Mr. Whalen informed the group that the State Highway Administration would accept an access road off North Charles Street. The members thoroughly discussed the projecting chapel wing that comes within 100 feet of the right of way; they decided that the chapel was lower than the classroom wing, small in volume, and not obtrusive or out of scale with the existing Tudor style school wings of 1933 and 1940.


John McGrain

JM/mjm
LOYOLA/PZONE/LANDMARK

Post-It [®] brand fax transmittal memo 7671		# of pages	1
To	SCOTT W. WHALEN		
From	MARY MORLOCK		
Co.	PEL STEVE		
Dept.	WHALEN		
Phone #	3495		
Fax #	832-2015		
Fax #	887-5862		

**PETITIONER'S
EXHIBIT NO. 5**
MICROFILMED

LOYOLA HIGH SCHOOL
BLAKEFIELD
P. O. BOX 6819
TOWSON, MARYLAND 21285-6819

Writer's Phone: 747-2900 (w)
788-6531 (h)

July 18, 1994

Ms. Patricia L. Zouck
President
Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.
P. O. Box 204
Riderwood, Maryland 21139

Re: Your Letter of July 11, 1994

**PETITIONER'S
EXHIBIT NO. 8**

Dear Mrs. Zouck:

Thanks for your July 11th letter detailing traffic concerns about the proposed entrance onto Charles Street from Loyola's campus. We are sympathetic to the issues raised and will be responsive.

A traffic study evaluating movements onto and from Loyola's campus will clearly be useful. We agree to commission a professional traffic engineer (most probably Mr. Wes Guckert, of Street Traffic Studies, Inc.) to review the situation and make specific recommendations. I will ask the engineer to contact you directly when the study commences so that he can understand first hand your expressed concerns and respond to them appropriately. I expect this study to commence in either September or October when school is back in session and traffic conditions are representative of normal activity levels.

As I mentioned in a phone conversation with Laurie Long, your executive director, subsequent to our June 27th meeting, Loyola has the ability to assign parking spaces for students and faculty and therefore to a large extent control who will utilize the Charles Street entrance and parking lots serviced by that access. As you correctly imply, we should determine via survey the specific traffic patterns of our individual students and faculty. We can (and will) then assign parking and access on a case-by-case basis to minimize difficult traffic movements.

As I also indicated in a separate meeting with Ms. Gail O'Donovan, Loyola has no intention of seeking either direct or indirect (via the Board of Education property) vehicular access from our campus onto Greenwood Road. This option was one of a number we had informally and very preliminarily considered. Given neighborhood concerns expressed by Ms. O'Donovan at our meeting, it clearly is not an acceptable alternative to the Greenwood community. We consequently have no desire to pursue it further.


MICROFILMED

Ms. Patricia L. Zouck
President
Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.
Riderwood, Maryland 21139

July 18, 1994
Page 2

Loyola intends to be a good neighbor and will involve the community in all decisions which impact on it. We look forward to working with Ruxton-Riderwood-Lake Roland in resolving this issue to our mutual satisfaction and benefit. Thank you for your interest.

Sincerely,



Stephen W. Whalen, Jr.
Chairman, Loyola Building & Grounds Committee

SWWJr/lam
Loy

cc: Rev. James F. McAndrews, S.J.
Gail O'Donovan,

LOYOLA HIGH SCHOOL
BLAKEFIELD
P. O. BOX 6819
TOWSON, MARYLAND 21285-6819

Writer's Phone: 747-2900 (w)
788-6531 (h)

August 1, 1994

Ms. Patricia Zouck
President
Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.
Post Office Box #204
Riderwood, MD 21139

**PETITIONER'S
EXHIBIT NO. 9**

Re: Loyola Blakefield Zoning Variance & Charles Street Access Issues

Dear Ms. Zouck:

I wanted to follow up on our previous exchange of correspondence and subsequent conversations about the above-referenced items. Loyola requests your association to support our building length variance application at the upcoming Baltimore County variance hearing August 5th. In return for that support, Loyola hereby agrees to the following:

- 1) Between September 15 and October 15, 1994, we will have Mr. Wes Guckert's traffic engineering firm, Street Traffic Group, perform a formal traffic study of vehicular access to and from Loyola's campus, including an analysis of the proposed Charles Street access, and related parking and internal circulation issues. We will fully involve your association's designated representatives in laying out the parameters of the study, meetings with the engineer, discussions interpreting the data, and arriving at a satisfactory conclusion of mutual benefit to the community and the school.
- 2) Integral to the traffic study, with the engineer's and your assistance during that same time frame, we will do a full survey of our student body, faculty and staff traffic access and parking characteristics. By determining exactly how, when, and where each element of traffic enters and leaves the campus, we can assign mandatory access and parking patterns to minimize difficult traffic movements. This survey will specifically include carpools as well as student drivers within the student body portion of the study. This traffic and parking analysis of students, faculty and staff will then be repeated annually to update entry and departure points and parking assignments as the demographics change with each successive school year.
- 3) Loyola will allow through-campus vehicular access between Charles Street and Chestnut Avenue during morning arrival/drop-off and afternoon pick-up/departure times to help further reduce U-turns and other difficult traffic movements. Through-campus access will be blocked at other times only.
- 4) Loyola will work with your association in jointly requesting the State Highway Administration to eliminate the flashing red arrow operation on the traffic signal at

[Handwritten signature]

Charles and Chestnut Avenue. This would permit left turns from southbound Charles Street onto eastbound Chestnut or U-turns onto northbound Charles *only* on a solid green arrow, thereby providing left or U- turning traffic with the full legal right-of-way. We should wait on this request, however, for confirmation from the traffic engineer that such a modification will provide maximum benefit.

5) Again subject to confirmation from the traffic engineer, Loyola will jointly petition SHA along with your association to post "No U-turn" at the median break on northbound Charles Street across from Boyce Avenue. This would prohibit vehicles leaving Loyola via the proposed Charles Street exit from making a U-turn at the first median break to head south on Charles.

6) As promised in previous correspondence, Loyola has no intention of seeking direct or indirect access from its campus onto Greenwood Road, in deference to the concerns expressed by Greenwood residents.

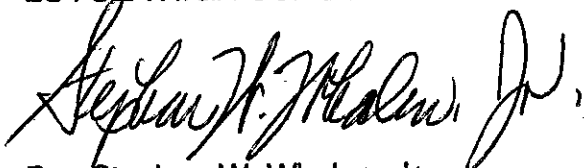
7) Loyola students, faculty and staff will not be permitted to park on Chestnut Avenue or any other neighborhood streets during school hours. (This is already current policy).

8) Our written approval from SHA for Charles Street access is limited to right-in, right-out only. We will not seek a full median break permitting left turns from southbound Charles Street into our new entrance without your association's agreement.

Institution of the above-referenced understandings, when combined with other recommendations which may be generated by the professional traffic engineer, should provide a comprehensive resolution to traffic concerns which RRLRAIA has expressed about Charles Street access. Both Loyola and your association also need to be sensitive to the impact on Chestnut Avenue area residents, for whom a Charles Street access point should provide some meaningful traffic relief at Loyola's arrival and dismissal times. Our objective, which we know you share, is to provide a long-term solution in the mutual best interests of all affected parties. Thanks to you and your association for your kind consideration. All of us at Loyola look forward to working with you on these matters.

Sincerely,

LOYOLA HIGH SCHOOL OF BALTIMORE, INC.



By: Stephen W. Whalen, Jr.,
Chairman, Building & Grounds Committee

cc: Rev. James F. McAndrews, SJ, President, Loyola High School
Diana Itter, Third District Planner, Baltimore County

Zoning/Development Alert

July, 1994

Dear Neighbor;

We feel it is vitally important for you to be informed of the following information, which has become available to us in the past 2 weeks.

I. "Greenwood" The Board of Education - -

When Mrs. O'Donovan was researching the Loyola expansion (see below) she discovered, quite by accident, that the Board of Education has on the drawing board plans to build a three story 45,000 square foot office building and a two story parking garage, size undetermined. The plan is to build them on the existing parking lot on Greenwood Road. The reason given for this new construction is as follows. Various departments of the Baltimore County School System were housed in defunct schools. The schools have been or are being reopened as schools, and the Dept. of Education has had to lease office space in Timonium to house its "evicted" administrative departments. It was determined that it would be better economically if the Board of Ed owned all of its administrative buildings, and logistically it would be better for them to have all of their departments housed on the same campus. Mrs. O'Donovan was informed that two other sites were also being considered and that the individual who would make the site decision would be Dr. Stuart Berger, Superintendent of B.C. Schools.

Mrs. O'Donovan arranged a meeting with Dr. Berger to discuss this potential development at "Greenwood". Residents and the Chairman of

**PROTESTANT'S
EXHIBIT NO. 1**

ENCLOSURE

the Baltimore County Landmarks Commission met with Dr. Berger on Thursday, July 21, 1994.

At the meeting Dr. Berger stated that::

1. Plans are NOT to renew the Timonium lease(s) when they(it) are up in two years.
2. It makes sense administratively to centralize administrative personnel.
3. He wants to see all administrative buildings on the same campus.
4. He was advised that it would be wise economically to have a builder build a building and then lease it and eventually own it.
5. The building would house 200 employees and be 38,000 square feet. There are currently 300+ employees at "Greenwood".
6. The other two sites that were under consideration are an existing building in downtown Towson and a site in Cockeysville. The Cockeysville site has been eliminated as being too far away.
7. He has seen no architectural drawings for the office building, but he said later in our meeting that he will probably present the plan to the members of the Board of Education in September 1994!!!

PLEASE NOTE: Loyola and the Board of Education exist here by right, which allows them to build without going through normal governmental regulations and processes. Loyola is now being required to submit to the County their formal long range plans which must go through the normal approval process. But to date the Board of Ed is subject to no such review process. WE FEEL IT IS IMPERATIVE THAT THEY REQUIRED TO DO SO.

We made the following points to Dr. Berger:

1. Greenwood Road has 2 waivers prohibiting widening and making improvements from Joppa Road down past the entrance to the Board of Ed parking lot. It cannot support any further institutional traffic increases - employees, delivery trucks, service vehicles, sanitation trucks, etc.
2. Mr. Klinefelter, developer of the Jencks property on Greenwood Road got permission from the Board of Ed to plant a dense row of evergreens on the Board of Ed property to screen the parking lot from the view of lots #2 through 6 of the new subdivision.
3. The visual impact, air and noise pollution generated by the new facility will have an overwhelmingly detrimental impact on the 5 new homes currently being constructed on the west side of Greenwood Road directly opposite the proposed building site.
4. "Greenwood" has a chronic storm water management problem that would be exacerbated by further development.
5. Since "Greenwood" is an historic site and on the Baltimore County Landmarks list, all plans for development on this site will have to be reviewed and approved by the Baltimore County Landmarks Commission.
6. This residential neighborhood supports 6 institutional uses in less than a one mile diameter. The unrelenting expansion of 4 of them, and the 2 expansions on the drawing board threaten the integrity of our low density residential neighborhood.

7. Residents of Greenwood Road have had a long-standing agreement with "Greenwood"- the Dept. of Education- It is as follows: When Greenwood Mansion was bought by the County for the Board of Ed headquarters they expanded, adding parking and one new administrative building. That was to be the end of the expansion and taking down of trees. There was to be no more development or destruction of the land. Nor was "Greenwood" traffic to use Greenwood Road north of "Greenwood" 's parking lot. Dr. Dubel, the former Superintendent of Schools, honored this agreement during his many years as Superintendent.

At the close of our meeting, Dr. Berger gave us his word that he will inform us (Mrs. O'Donovan, specifically) when he presents the office building plan to the members of the School Board. It is our understanding that Dr. Berger will make the decision about where the new office building will be located and the Board will approve financing and sign the lease.

We feel it is imperative to send a letter of concern and protest to all members of the School Board before their September meeting. In this letter we will urge the Board to reject the proposal for any further building at the Greenwood site.

**** We will have 2 evenings in August at Betsy Sexton's home at 600 Chestnut Ave. for you to see and sign the letter before we send it :
TUESDAY, AUGUST 23 and TUESDAY, AUGUST 30 6:00-8:30 PM

II. Loyola High School- Chestnut Ave. and Charles St.

PLEASE ATTEND AUGUST 5 ZONING HEARING ON BUILDING VARIANCE. DETAILS BELOW. THIS IS A PERFECT TIME TO PRESENT YOUR CONCERNS ABOUT OUR NEIGHBORHOOD.

Loyola is currently planning to add a large wing onto their Wheeler Hall - the beautiful stone building facing Charles Street. They have received a \$3 million dollar gift to do this "much needed classroom and chapel addition". In addition, they are planning to build 2 new parking lots on the west side of their Charles St. frontage with a driveway opening onto Charles St., which will have a right-turn-in access and right-turn-out egress. (They have been denied a break in the median strip of Charles St.)

They were also considering putting a Road through their property which would have direct access to Greenwood Rd. This would be directly opposite the two new driveways currently being built on the Greenwood Meadow subdivision for the five new homes being constructed there. Another consideration was to put their new road in the same area but with indirect vehicular access from their campus to Greenwood Road via the Board of Education property. This entrance would be the current Board of Ed Greenwood Rd. parking lot entrance which is directly across from several of the lots of the new Greenwood Meadow subdivision. A third alternative was to have a service road with access to Greenwood Rd. in

the same place as their first alternative. The concept behind these three new road alternatives was to have the majority of school and/or service vehicular traffic travel Greenwood Rd. to get to and from the Loyola campus.

In their long range plan Loyola desires to add arts/and or student center buildings, and possibly a new gymnasium, to their "cramped " campus. The 15 acres of land they purchased from the Mission Helpers in 1979 for playing fields currently hold their track, baseball diamond and lacrosse field. They were thinking that part of this land could become the site of future new buildings.

On July 5, 1994 Gail O'Donovan , Betsy Sexton, Roberta Sanville, executive director of Blakehurst, met with Mr. Stephen Whalen, Jr., Chairman of the Loyola Building and Grounds Committee at Gail O'Donovan's home. We explained to Mr. Whalen, in detail, all of the historical, environmental, traffic and zoning ramifications of Loyola's expansion plans. As a result of this meeting the following decisions were made by Mr. Whalen:

1. In the foreseeable future there will be no buildings of any kind constructed in the land currently being used as playing fields. Nor will there be any construction on any of the unused portions of land they purchased from the Mission Helpers in 1979. However, the current gymnasium has only one basketball court and with the addition of the Middle School, this is now considered inadequate. Therefore, some time in the future, some portion of the existing baseball field

contiguous to the existing gymnasium may be used for a new gymnasium.

2. There will be no direct or indirect vehicular access from the Loyola campus onto Greenwood Rd. This includes the service road alternative.
3. Loyola will survey their student and faculty traffic patterns and will then assign parking and access on a case-by-case basis to minimize difficult traffic movements. In other words, some will be required to use Chestnut Ave., and others will be required to use Charles Street.
4. A traffic study evaluating traffic onto and away from Loyola campus will be made when school is in session in September or October.
5. Loyola will meet with the State Highway Administration to seek improvement of the current traffic light at Chestnut Ave. and to study the feasibility of an additional traffic light at their new Charles Street entrance.
6. As we understand it, Loyola would like to keep their traffic on the perimeter, and not have a circular drive from Chestnut through the campus back out to their new entrance on Charles Street. But if U-turns will be frequent and dangerous, and will cause back-ups at Chestnut, Greenwood or Boyce, a circular campus road may be the best alternative. Perhaps it could be closed off to car traffic in the middle of the campus between drop-off and dismissal times. Mr. Whalen is taking this into consideration.
7. Loyola is not intending to expand its student body beyond its current range of 830-880 students.

Mrs. Sexton and Mrs. O'Donovan will work closely with Loyola from now on as their plans evolve. They will also work with the Ruxton-Riderwood Lake Roland Area Improvement Association and the Chestnut Hill Association.

Please think about both the Board of Ed and Loyola projects. Call Betsy Sexton (821-5014) with ideas concerning Loyola and call Gail O'Donovan (296-5177) with ideas or questions about "Greenwood."

LOYOLA ZONING HEARING

DATE: Friday, August 5, 1994

TIME: 10:00 am

PLACE: County Office Bldg., Room 106

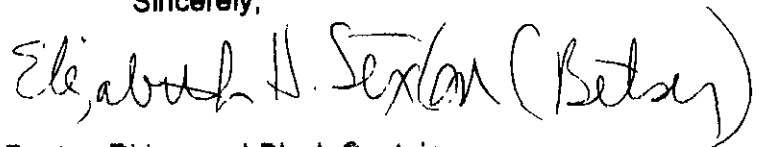
"Variance to permit Loyola High School building at 500 Chestnut Ave. to be 450 feet in lieu of 300 ft regulation."

This is an ideal time to express your concerns about traffic congestion, building size, and the addition of the Charles Street entrance. Many thanks for your time and support.



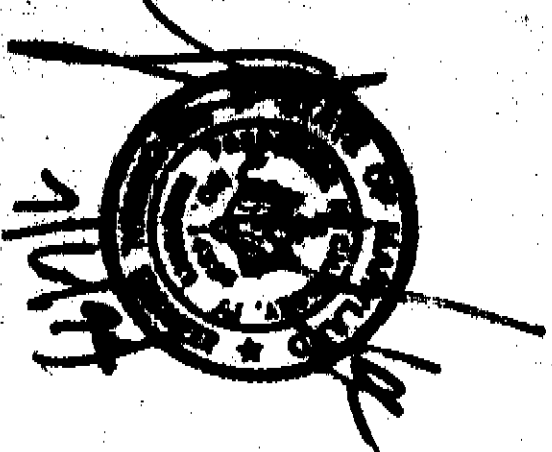
Ruxton-Riderwood Block Captain

Sincerely,



Ruxton-Riderwood Block Captain

Chestnut Hill Assoc. Board Member

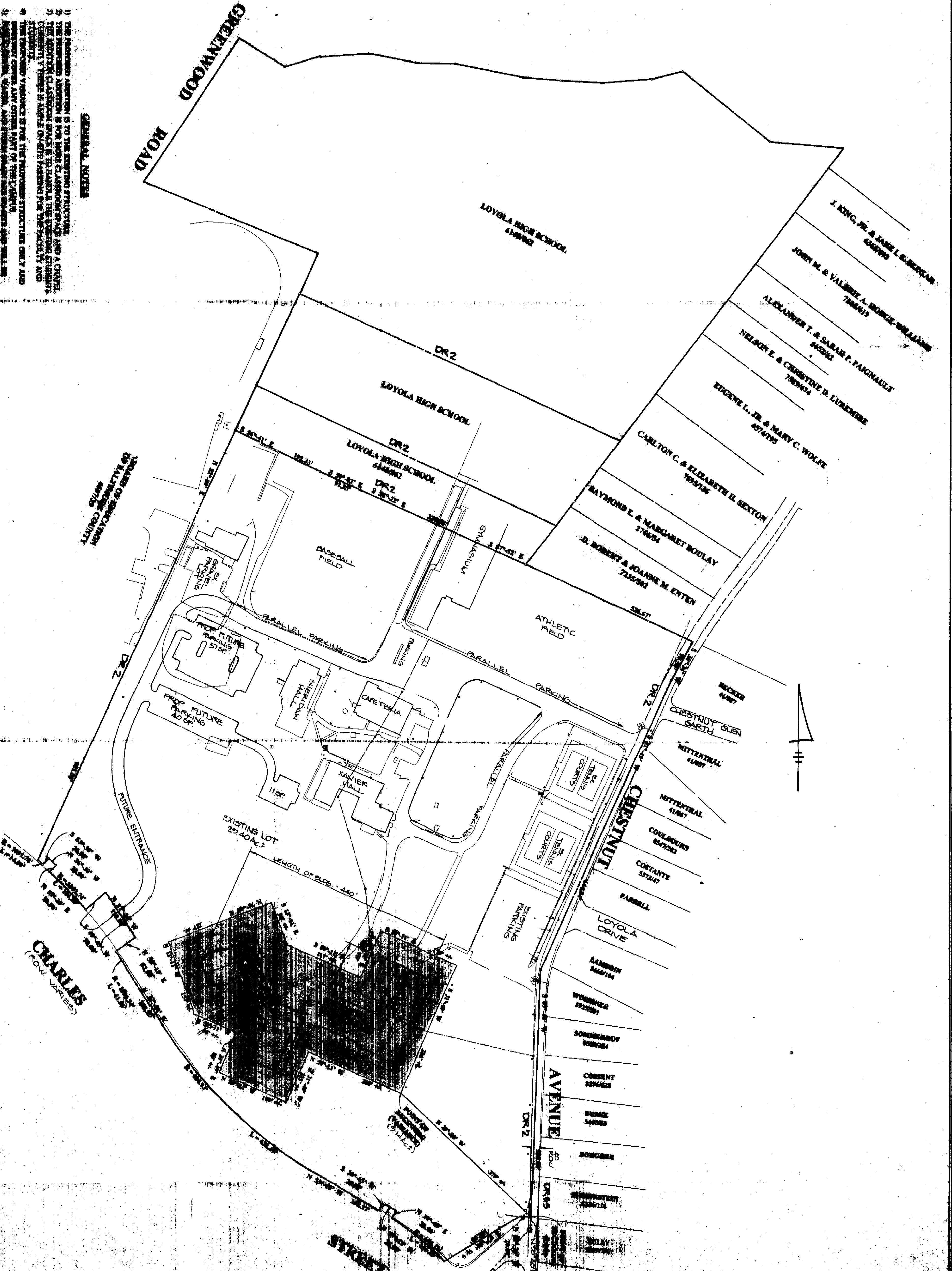


- GENERAL NOTES
- 1) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.
 - 2) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.
 - 3) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.
 - 4) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.
 - 5) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.
 - 6) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.
 - 7) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.
 - 8) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.
 - 9) THE PROPOSED VARIANCE IS TO THE EXISTING STRUCTURE.



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

ONE EMBLETT & LAND SERVICES
650 KENYON DRIVE, SUITE 100
JACKSON, MARYLAND 21086
(410) 828-8120



PETITIONER'S
EXHIBIT NO. 1

PLAN TO ACCOMPANY A VARIANCE TO ALLOW A BUILDING TO
EXCEED 50' IN LENGTH IN A 100' ZONE FOR THE
CLASSROOM BUILDING AND CHURCH
LOYOLA HIGH SCHOOL
500 CHESTNUT AVENUE
BALTIMORE, MARYLAND 21202
FELICIANUS UNIVERSITY
SCALE: 1" = 100'
MICROFILMED

95-6-A

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/W inters. of Chestnut Ave. * ZONING COMMISSIONER
and Charles Street * OF BALTIMORE COUNTY
500 Chestnut Avenue *
9th Election District * Case No. 95-6-A
4th Councilmanic District *
Loyola High School of *
Baltimore, Inc. *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance from Section 1801.2.B of the Baltimore County Zoning Regulations (BCZR) to permit a building length of 450 ft. in lieu of the required 300 ft. The variance Petition is filed by Loyola High School of Baltimore, Inc., for the Loyola High School campus located at 500 Chestnut Avenue in Towson. The Petition is filed on behalf of the school by Stephen W. Whalen, Jr., Vice Chairman, Board of Trustees and Chairman of the Building and Grounds Committee.

Appearing at the public hearing held for this case were Father Jack Dennis and Mr. Charles McMahon on behalf of the Petitioner, Loyola High School of Baltimore, Inc. Also appearing on behalf of the Petition was Rick Chadsey and Dean Hoover, Engineers from the firm of G.W. Stephens and Associates, Inc., who prepared the site plan marked as Petitioner's Exhibit No. 1. The Petitioner was represented by G. Scott Barhight, Esquire.

A number of residents of the surrounding community also appeared and testified. They included Mrs. Gail O'Donovan on behalf of the Ruxton-Riderwood Community Association and Ms. Elizabeth A. Sexton from the Chestnut Hill Association.

Testifying on behalf of the property owner was Father Jack Dennis, the Director of Christian Services at Loyola and a member of the faculty.

Father Dennis described the subject property and proposed improvements. Loyola High School is a well known institution which has been located in the Towson area for many years. In fact, Father Dennis testified that the Loyola Campus was moved to its present location in the 1930s and the first building constructed on the property was built in 1933. Subsequently, an addition was built in 1940. The school provides Middle School and High School curriculum for approximately 850 students. Originally, the school was a high school only, however, a middle school serving grades 6, 7 and 8 was started several years ago.

With the institution of the middle school program, the existing facilities have become overcrowded and additional classroom space is needed. An addition is proposed to the existing classroom building known as Wheeler Hall. The addition will be 48,000 sq. ft. and will contain three floors. It will provide much needed classroom space for the math, religion, computer science, history and other departments. Additional office space and a chapel will also be provided. Father Dennis repeatedly emphasized that the addition is planned not to accommodate an expansion in Loyola's enrollment, only to provide additional classrooms for the existing number of students. At present, Loyola averages between 830 and 880 students per year.

Charles McMahon, a Real Estate Development Advisor and a member of the school's buildings and grounds committee also testified. He described the purpose of the proposed building addition and the need to connect the existing building with the proposed addition. He believes that it is proper to provide one single structure for the school's classrooms and student activities. This will prevent students from having to travel outside during inclement weather to change classes and will also provide a centralized facility to meet educational needs of the high school. He

-2-

also described in great deal the building style of the addition including the efforts which were made to ensure that the addition is architecturally compatible with the existing improvements.

Also testifying was Rick Chadsey, an engineer with G.W. Stephens and Associates. He further described the subject property and the proposed addition. He also addressed several comments contained within the Zoning Plans Advisory Committee(ZAC) memorandum from the Office of Planning and Zoning. He opined that the building will be entirely appropriate with the existing campus and neighborhood. He also discussed the requirements contained within Section 307 of the BCZR as they relate to variance relief. In his opinion, the Petitioner will suffer practical difficulty if the variance is denied. Moreover, the relief proposed is consistent with the spirit and intent of the BCZR and will not be detrimental to the welfare of the surrounding locale. As he particularly observed, the Loyola property is significantly sized (55 acres) and is zoned D.R.2. He believes that the proposed addition where located is the best place for expansion on the campus.

A number of surrounding community representatives testified including Gail O'Donovan, Elizabeth Sexton and Nancy W. Horst. It is to be emphasized that none of these neighbors object to the proposed addition and the variance, per se. That is, they believe that Loyola has made appropriate efforts to construct a compatible building to satisfy space needs and applaud the high school for its efforts in assuring that the addition will blend with the existing improvements on campus and the surrounding community.

The Protestants' concerns, however, relate to other factors. Specifically, they are worried about the general growth in the Towson area and the number of institutions in the immediate vicinity. They note that the

-3-

Board of Education has plans for an expansion of the Greenwood Campus up the street and that several large nursing homes have been constructed in the area in recent years. They believe that the demands created by these large institutional uses in the area overload the infrastructure. Concerns over increased traffic, congestion and the like were expressed.

As I observed on the record at the public hearing, the issues before me are narrow and relate to the Petition for Variance from the strict application of Section 1801.2.B. of the BCZR. The variance requested only relates to the size of the addition which, when coupled with the existing structure will result in a building of 450 ft. in length. This is larger than the 300 ft. allowed as of right in a D.R.2 zone. Thus, I can consider only issues which relate to a variance from this section.

Nonetheless, Loyola appears to have made significant efforts to work with the community and assure that their plans are compatible with the neighborhood. In this respect, a letter was authored on the stationery of Loyola High School dated August 1, 1994. This letter was offered by Stephen W. Whalen, Jr., Chairman of the School's Building and Grounds Committee, and set forth eight conditions which the school agreed to be bound in connection with its expansion. Most of these conditions related to additional traffic studies and efforts that the school would make to decrease traffic congestion in the vicinity and particularly on the neighborhood streets immediately nearby. Under the circumstances, I will incorporate the comments within this correspondence as a restriction to this Order. As noted above, these comments appear to reflect the agreement reached by and between the school and the surrounding community associations and are appropriate.

Also, the Office of Planning and Zoning offered certain ZAC comments addressed by Mr. Chadsey as noted above. In this respect, I will require

-4-

Loyola to construct its addition in a manner substantially similar to the schematic renderings produced at the hearing. It is to be noted that these plans have also been reviewed by John McGrain on behalf of the Landmarks Preservation Committee and have been approved. Thus, the size, massing, materials and composition of the building shall be substantially similar to those shown in the renderings.

Lastly, I will also require the Petitioner to produce a landscape plan to be approved by Mr. Avery Harden, the County's Landscape Architect. Mr. Chadsey indicated that the property owner would be required to follow to submit such a plan and voiced no objection to a restriction requiring same within the zoning Order. This will allow Mr. Harden to review and approve the area of disturbance of the existing trees and suggest replacement plantings. I have no doubt that Loyola will continue to be a good neighbor to the communities and take the appropriate steps to build an addition which will be compatible with the existing improvements on the property and uses in the neighborhood.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of August, 1994 that a variance from Section 1801.2.B of the Baltimore County Zoning Regulations (BCZR) to permit a building length of 450 ft., in lieu of the required 300 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

-5-

reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The terms, conditions and agreements as contained within the correspondence from Loyola High School to the Ruxton-Riderwood-Lake Roland Area Improvement Assn, Inc. dated August 1, 1994 (Petitioner's Exhibit No. 3 attached) be and are hereby incorporated within this Order as conditions precedent to the granting of the variance relief.

3. The Petitioner shall submit a landscape plan for review and approval by the County's landscape architect.

4. The building materials and colors, as well as the height, bulk, and general architectural character of the proposed addition shall be compatible to the existing building (Wheeler Hall) and surrounding community.

5. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LES:mmm

ORDER RECEIVED FOR FILING
Date 16/8/94
By Mr. Harden

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 12, 1994

G. Scott Barhight, Esquire
4th Floor
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 95-6-A
Petition for Variance
Loyola High School of Baltimore, Inc., Petitioner

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.

cc: Rev. Jack Dennis, S.J., Director, Loyola High School
Rick Chadsey & Dean Hoover, G.W. Stephens and Assoc.
Mrs. Gail O'Donovan, Ruxton-Riderwood Community Assoc.
Mrs. Elizabeth H. Sexton, Chestnut Hill Assoc.
Mrs. Nancy W. Horst

Printed on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 500 Chestnut Avenue

which is presently zoned D.R. 2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2-B to permit a building length of 450 feet in lieu of the required 300 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

to be presented at the hearing

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zipcode

4th Floor

210 W. Pennsylvania Ave

Towson, MD 21204

Phone No.

832-2050

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s):

(Type or Print Name)

Loyola High School of Baltimore, Inc.

Signature

Stephen W. Whalen, Jr.

Vice Chairman, Board of Trustees

(Type or Print Name)

Signature

500 Chestnut Avenue

Towson, MD 21204

Phone No.

832-2050

City

State

Zipcode

G. Scott Barhight

210 W. Pennsylvania Ave, Towson, MD 21204

Phone No.

832-2050

City

State

Zipcode

ESTIMATED LENGTH OF HEARING

unavailable for hearing

Next Two Months

DATE

7/1/94

Printed with Soybean Ink on Recycled Paper

Description to Accompany
Petition for Variance.

July 6, 1994

Beginning for the same at a point distant 370 feet more or less North 39° 20' West from a point in the center of Chestnut Avenue which point is distant 25.00 feet North 9° 40' East and 214.50 feet North 57° 49' East from the intersection of the center line of Chestnut Avenue relocated with the center line of Charles Street Avenue thence

- 1 - North 58° 11' West 205 feet more or less thence
- 2 - South 31° 49' West 113 feet more or less thence
- 3 - North 58° 11' West 150 feet more or less thence
- 4 - North 31° 49' East 88 feet more or less thence
- 5 - North 58° 11' West 95 feet more or less thence
- 6 - North 13° 11' West 157 feet more or less thence
- 7 - North 76° 49' East 227 feet more or less thence
- 8 - South 13° 11' East 90 feet more or less thence
- 9 - South 58° 11' East 167 feet more or less thence
- 10 - North 31° 49' East 103 feet more or less thence
- 11 - South 58° 11' East 170 feet more or less and thence
- 12 - South 31° 49' West 286 feet more or less to the place of beginning.

Containing 3.1 acres of land more or less.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 7/13/94
Posted for: Variance
Petitioner: Loyola High School of Balt. Inc.
Location of property: 500 Chestnut Ave., NW Intersection of Chestnut Ave. & Charles St.
Location of Sign: Along Roadway on property being zoned
Remarks: None
Posted by: [Signature] Date of return: 7/22/94
Number of Signs: 1

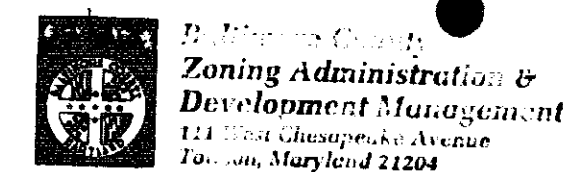
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 10:00 a.m. on Friday, August 5, 1994 at 10:00 a.m. in Room 106, County Office Building.
Case #95-6-A (Item 4)
500 Chestnut Avenue NW Intersection of Chestnut Avenue and Charles Street 9th Election District - 4th Councilmanic District
Petitioner(s): Loyola High School of Baltimore, Inc.
Hearing: Friday, August 5, 1994 at 10:00 a.m. in Room 106, County Office Building.
Variance to permit a building length of 450 feet in lieu of the required 300 feet.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the filing and/or hearing, please call 887-3353.
7/21/94 July 21

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 22, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 21, 1994.

THE JEFFERSONIAN,
A. Henickson
LEGAL AD. - TOWSON



Account: R 001-6150

Number

04

By JLL

Date: 6/7/94
7/7/94

1 NON RES VAR. CODE 02 \$ 250.00
(2) SIGNS CODE 080. \$ 70.00
10NCHSTINT 10NCHARES \$ 320.00

OWNER: Loyola High School of Balt. Inc.
Loc. 500 Chestnut Ave

01A01W006SMICRRC
88 C01112AM07-07-94

\$320.00

Please Make Checks Payable To: Baltimore County

Chief Validation



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 04
Petitioner: Loyola High School of Balt. Inc.
Location: 500 Chestnut Ave
PLEASE FORWARD ADVERTISING BILL TO:
NAME: G. Scott Barhight
ADDRESS: 4TH FLOOR 210 WEST PENNSYLVANIA AVE
TOWSON MD 21204
PHONE NUMBER: 832 3050

AJ:ggs

(Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY
July 21, 1994 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue, 4th Floor
Towson, Maryland 21204
832-3050

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 10:00 a.m. on Friday, August 5, 1994 at 10:00 a.m. in Room 106, County Office Building.

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-6-A (Item 4)
500 Chestnut Avenue NW Intersection of Chestnut Avenue and Charles Street 9th Election District - 4th Councilmanic District
Petitioner(s): Loyola High School of Baltimore, Inc.
Hearing: Friday, August 5, 1994 at 10:00 a.m. in Room 106, County Office Bldg.

Variance to permit a building length of 450 feet in lieu of the required 300 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILING AND/OR HEARING, PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 14, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 10:00 a.m. on Friday, August 5, 1994 at 10:00 a.m. in Room 106, County Office Building.

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-6-A (Item 4)
500 Chestnut Avenue NW Intersection of Chestnut Avenue and Charles Street 9th Election District - 4th Councilmanic District
Petitioner(s): Loyola High School of Baltimore, Inc.
Hearing: Friday, August 5, 1994 at 10:00 a.m. in Room 106, County Office Bldg.

Variance to permit a building length of 450 feet in lieu of the required 300 feet.

ARNOLD JABLON
DIRECTOR

cc: Loyola High School of Baltimore, Inc.
G. Scott Barhight, Esq.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILING AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 25, 1994

G. Scott Barhight, Esquire
Fourth Floor
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 95-6-A, Item No. 4
Petition for Variance
Petitioner: Loyola High School of Baltimore, Inc.

Dear Mr. Barhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on July 7, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Zoning Plans Advisory Committee Comments
G. Scott Barhight, Esquire
Date: July 25, 1994
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.

3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm
Enclosure

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

July 20, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #4 - Loyola High School
500 Chestnut Avenue
Zoning Advisory Committee Meeting of July 18, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:VK:sp

LOYOLA/DEPRM/TXTSBP

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/19/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1106

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

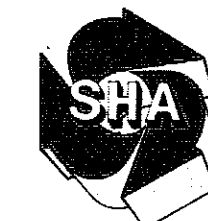
8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 2, 3, 5, AND 6.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 687-4881, MS-1102F

cc: File



Printed on Recycled Paper



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

August 3, 1994

Ms. Julia Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
MD 139
Loyola High School
Variance Request
Item #4 JLL
Mile Post 2.41

Dear Ms. Winiarski:

This office has reviewed the referenced plan for the referenced site and offer the following:

In a previous review of a median break and access approval request conducted by our Traffic Section for the State Highway Administration (SHA) in this area, and in a letter dated May 4th to Mr. Rick Chadsey of George W. Stephens, Jr. and Associates, we indicated the following:

Our Traffic Section has notified us that they have approved your request to allow direct access from the school onto MD 139 via a right-in/right-out only entrance at the requested location indicated on the plan.

However, although they understand the school's concerns regarding separating vehicular and pedestrian traffic on the school property, they cannot support the additional request to allow a median break adjacent to the proposed entrance since the 600' spacing at the median break location would be less than the SHA criteria of 750'.

They would only consider an exception to this decision if the school can demonstrate an extreme benefit to public safety through Mr. Charles Harrison, District Engineer for this area. Mr. Harrison can be reached at 410-321-3461.

Therefore, we have no objection to approval of the variance request to permit a building length of 450' in lieu of the required 300'. Our aforementioned comments regarding the proposed access onto MD 139 remain valid.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Julia Winiarski
Page Two
August 3, 1994

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/es

cc: Mr. C.R. Harrison
Mr. Darrell Wiles

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

September 1, 1994

(410) 887-4386

Ms. Nancy W. Horst
7819 Ellenham Avenue
Towson, Maryland 21204

RE: Case No. 95-6-A
Petition for Zoning Variance
Loyola High School of Baltimore, Inc.

Dear Ms. Horst:

Confirming our recent telephone conversation, kindly accept my apologies for mis-identifying Mrs. Gail O'Donovan as representative of the Ruxton-Riderwood Community Association at the hearing regarding the above captioned case. As I indicated, I attempt to keep notes of the testimony and evidence offered in the proceeding but, apparently, incorrectly recorded the identity of your community association's representative. I understand that you are the duly designated zoning representative for matters such as this and you were, indeed, present and testified at the hearing, on this case, on behalf of the Ruxton-Riderwood-Lake Roland Improvement Association, Inc. I have included a copy of this letter in the case file so as to reflect your attendance and participation at the hearing.

Thank you for bringing this to my attention.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

RE: PETITION FOR VARIANCE *
500 Chestnut Avenue, NW Intersection
of Chestnut Avenue and Charles St. *
9th Election Dist., 4th Councilmanic *
Loyola High School of Baltimore, Inc. *
Petitioner *
CASE NO. 95-6-A *

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carol S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of July, 1994, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Esquire, 210 W. Pennsylvania Avenue, 4th Floor, Towson, MD 21204, attorney for Petitioner.

RECEIVED
JUL 21 1994

ZADM

Peter Max Zimmerman
PETER MAX ZIMMERMAN

95-6-A

#04
Post
2 signs
one on
each street
Chestnut Ave and
Charles St.

H.O.

#04

Rev conversation with Dev. eng. + Atty
[No RTA] will be confirmed for hearing
for the new parking areas and the bldg addition.
Also max bldg height (50') to be confirmed.
No prior hearings.

J. Lewis 6/7/94

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Diana Itter
Office of Planning

FROM: John McGrain
Office of Planning

SUBJECT: Loyola High School Classroom Expansion

DATE: July 28, 1994

A five-member committee of the Landmarks Preservation Commission met at Xavier Hall on July 27 with Mr. Steve Whalen, chairman of the school's planning committee. The commission examined renderings, elevations, and floor plans of the proposed addition to Wheeler Hall. The members present were:

Mr. Jeff Lees, architect
Mr. Martin P. Azole
Mr. Paul F. McKean
Mr. Timothy W. Rodgers
Dr. Rhoda Dorsey.

The members found the plan acceptable in relation to the existing Wheeler Hall. In fact, the members were favorably impressed with the entire concept, the reasoning behind the placement of the structures, and the landscaping and signage. Mr. Whalen informed the group that the State Highway Administration would accept an access road off North Charles Street. The members thoroughly discussed the projecting chapel wing that comes within 100 feet of the right of way; they decided that the chapel was lower than the classroom wing, small in volume, and not obtrusive or out of scale with the existing Tudor style school wings of 1933 and 1940.

John McGrain
John McGrain

3M/mjm
LOYOLA/BZONE/LANDMARK

Post-it brand fax transmittal memo 7071		[# of pages = 1	
To	SCOTT DUNNIGAN	From	JOHN MCGRAIN
On	7/28/94	On	7/28/94
Time	1:00 PM	Time	1:00 PM
Fax to	410-527-5115	Fax to	410-527-5115

PETITIONER'S
EXHIBIT NO. 5

LOYOLA HIGH SCHOOL
BLAKEFIELD
P.O. BOX 6819
TOWSON, MARYLAND 21285-6819

Writer's Phone: 747-2900 (w)
788-6531 (h)

July 18, 1994

Ms. Patricia L. Zouck
President
Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.
P.O. Box 204
Riderwood, Maryland 21139

Re: Your Letter of July 11, 1994

Dear Mrs. Zouck:

Thanks for your July 11th letter detailing traffic concerns about the proposed entrance onto Charles Street from Loyola's campus. We are sympathetic to the issues raised and will be responsive.

A traffic study evaluating movements onto and from Loyola's campus will clearly be useful. We agree to commission a professional traffic engineer (most probably Mr. Wes Gucken, of Street Traffic Studies, Inc.) to review the situation and make specific recommendations. I will ask the engineer to contact you directly when the study commences so that he can understand first hand your expressed concerns and respond to them appropriately. I expect this study to commence in either September or October when school is back in session and traffic conditions are representative of normal activity levels.

As I mentioned in a phone conversation with Laurie Long, your executive director, subsequent to our June 27th meeting, Loyola has the ability to assign parking spaces for students and faculty and therefore to a large extent control who will utilize the Charles Street entrance and parking lots serviced by that access. As you correctly imply, we should determine via survey the specific traffic patterns of our individual students and faculty. We can (and will) then assign parking and access on a case-by-case basis to minimize difficult traffic movements.

As I also indicated in a separate meeting with Ms. Gail O'Donovan, Loyola has no intention of seeking either direct or indirect (via the Board of Education property) vehicular access from our campus onto Greenwood Road. This option was one of a number we had informally and very preliminarily considered. Given neighborhood concerns expressed by Ms. O'Donovan at our meeting, it clearly is not an acceptable alternative to the Greenwood community. We consequently have no desire to pursue it further.

PETITIONER'S
EXHIBIT NO. 5

LOYOLA HIGH SCHOOL
BLAKEFIELD
P.O. BOX 6819
TOWSON, MARYLAND 21285-6819

Writer's Phone: 747-2900 (w)
788-6531 (h)

August 1, 1994

Ms. Patricia Zouck
President
Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.
Post Office Box #204
Riderwood, MD 21139

Re: Loyola Blakefield Zoning Variance & Charles Street Access Issues

Dear Ms. Zouck:

I wanted to follow up on our previous exchange of correspondence and subsequent conversations about the above-referenced items. Loyola requests your association to support our building length variance application at the upcoming Baltimore County variance hearing August 5th. In return for that support, Loyola hereby agrees to the following:

1) Between September 15 and October 15, 1994, we will have Mr. Wes Gucken's traffic engineering firm, Street Traffic Group, perform a formal traffic study of vehicular access to and from Loyola's campus, including an analysis of the proposed Charles Street access, and related parking and internal circulation issues. We will fully involve your association's designated representatives in laying out the parameters of the study, meetings with the engineer, discussions interpreting the data, and arriving at a satisfactory conclusion of mutual benefit to the community and the school.

2) Integral to the traffic study, with the engineer's and your assistance during that same time frame, we will do a full survey of our student body, faculty and staff traffic access and parking characteristics. By determining exactly how, when, and where each element of traffic enters and leaves the campus, we can assign mandatory access and parking patterns to minimize difficult traffic movements. This survey will specifically include carpools as well as student drivers within the student body portion of the study. This traffic and parking analysis of students, faculty and staff will then be repeated annually to update entry and departure points and parking assignments as the demographics change with each successive school year.

3) Loyola will allow through campus vehicular access between Charles Street and Chestnut Avenue during morning arrival/drop-off and afternoon pick-up/departure times to help further reduce U turns and other difficult traffic movements. Through-campus access will be blocked at other times only.

4) Loyola will work with your association in jointly requesting the State Highway Administration to eliminate the flashing red arrow operation on the traffic signal at

PETITIONER'S
EXHIBIT NO. 7

Zoning/Development Alert
July, 1994

Dear Neighbor,

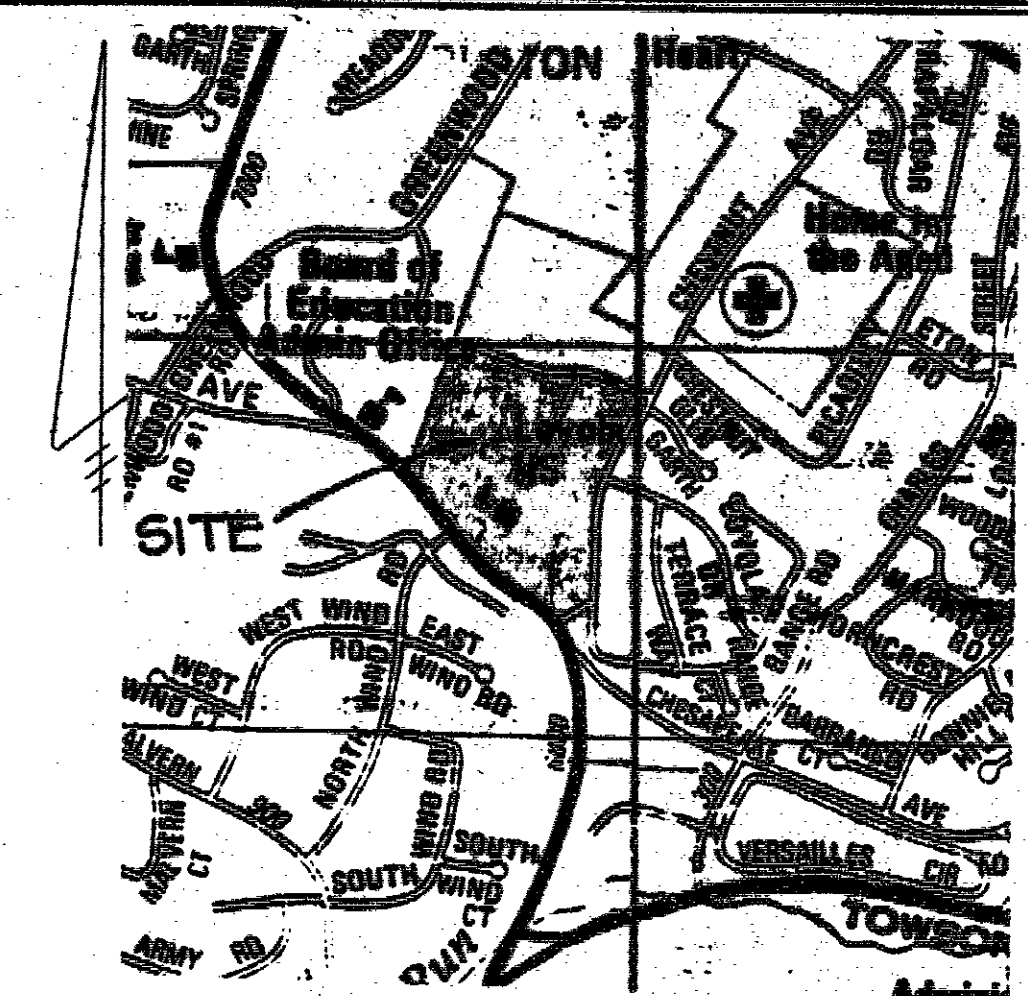
We feel it is vitally important for you to be informed of the following information, which has become available to us in the past 2 weeks

I. "Greenwood" The Board of Education - -

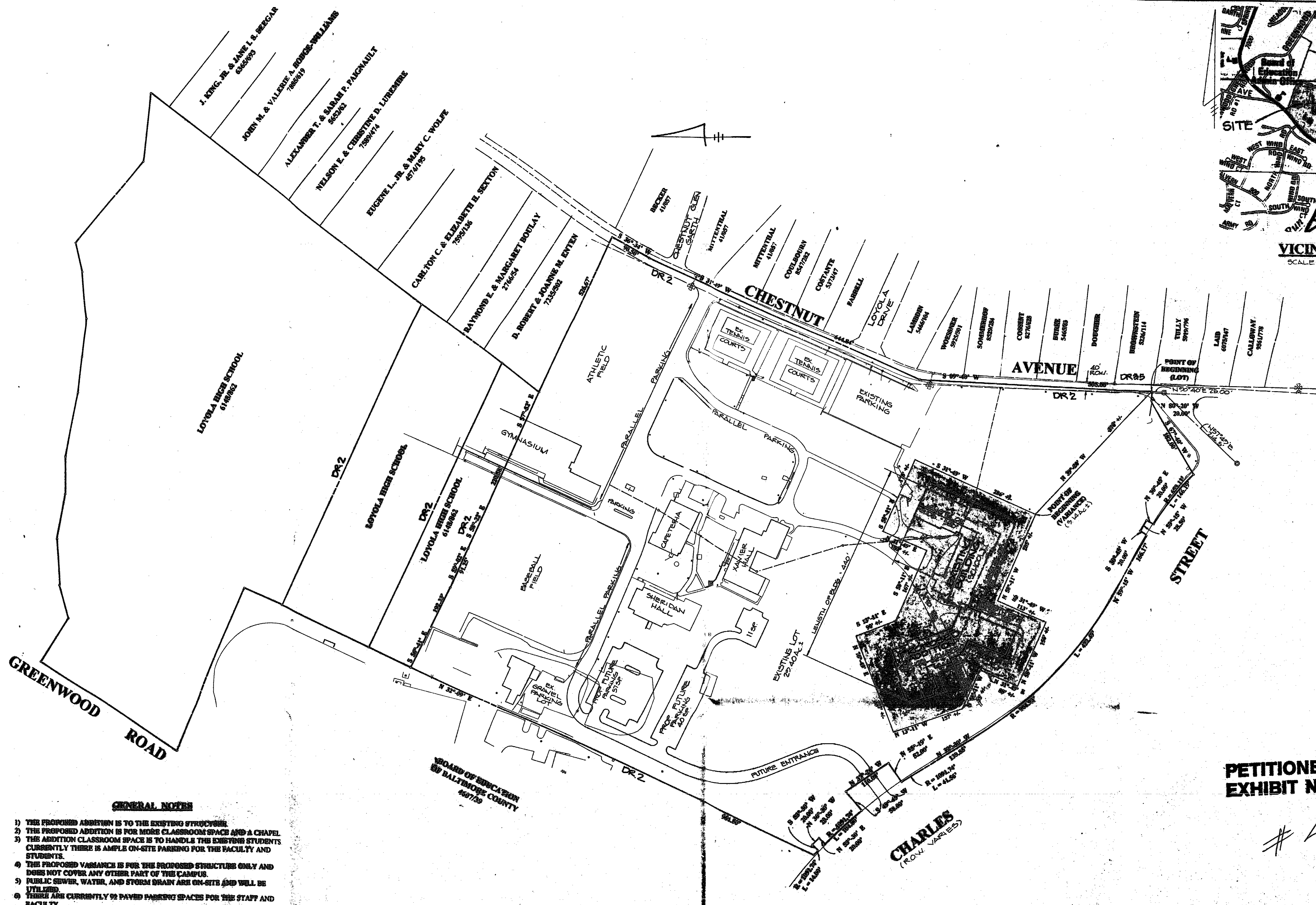
When Mrs. O'Donovan was researching the Loyola expansion (see below) she discovered quite by accident, that the Board of Education has on the drawing board plans to build a three story 45,000 square foot office building and a two story parking garage, size undetermined. The plan is to build them on the existing parking lot on Greenwood Road. The reason given for this new construction is as follows. Various departments of the Baltimore County School System were housed in defunct schools. The schools have been or are being reopened as schools, and the Dept of Education has had to lease office space in Timonium to house its "evicted" administrative departments. It was determined that it would be better economically if the Board of Ed owned all of its administrative buildings, and logistically it would be better for them to have all of their departments housed on the same campus. Mrs. O'Donovan was informed that two other sites were also being considered and that the individual who would make the site decision would be Dr. Stuart Berger, Superintendent of B.C. Schools.

Mrs. O'Donovan arranged a meeting with Dr. Berger to discuss this potential development at "Greenwood". Residents and the Chairman of

PROTESTANT'S
EXHIBIT NO. 1

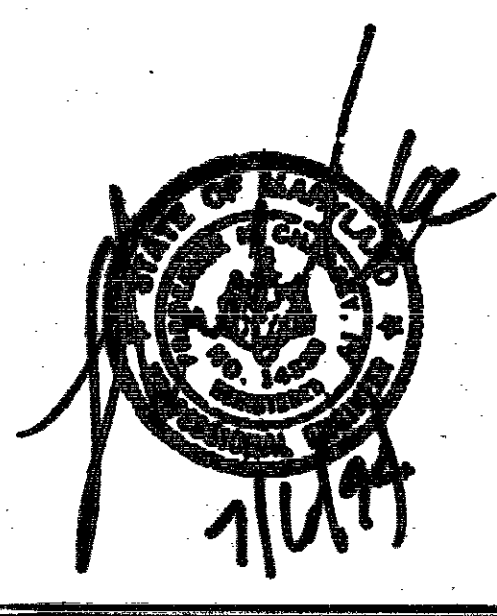


VICINITY MAP
SCALE: 1" = 1000'



GENERAL NOTES

- 1) THE PROPOSED ADDITION IS TO THE EXISTING STRUCTURE.
- 2) THE PROPOSED ADDITION IS FOR MORE CLASSROOM SPACE AND A CHAPEL.
- 3) THE ADDITION CLASSROOM SPACE IS TO HANDLE THE EXISTING STUDENTS CURRENTLY THERE IS AMPLE ON-SITE PARKING FOR THE FACULTY AND STUDENTS.
- 4) THE PROPOSED VARIANCE IS FOR THE PROPOSED STRUCTURE ONLY AND DOES NOT COVER ANY OTHER PART OF THE CAMPUS.
- 5) PUBLIC SEWER, WATER, AND STORM DRAIN ARE ON-SITE AND WILL BE UTILIZED.
- 6) THERE ARE CURRENTLY 92 PAVED PARKING SPACES FOR THE STAFF AND FACULTY.
- 7) THERE ARE CURRENTLY 25 PARKING SPACES FOR STUDENTS.
- 8) WITH THE ADDITION, THE SCHOOL WILL BE ADDING APPROXIMATELY 42 NEW PARKING SPACES.
- 9) THE PROPOSED ADDITION IS APPROXIMATELY 25,000 SQ. FT. AND THREE STORIES.



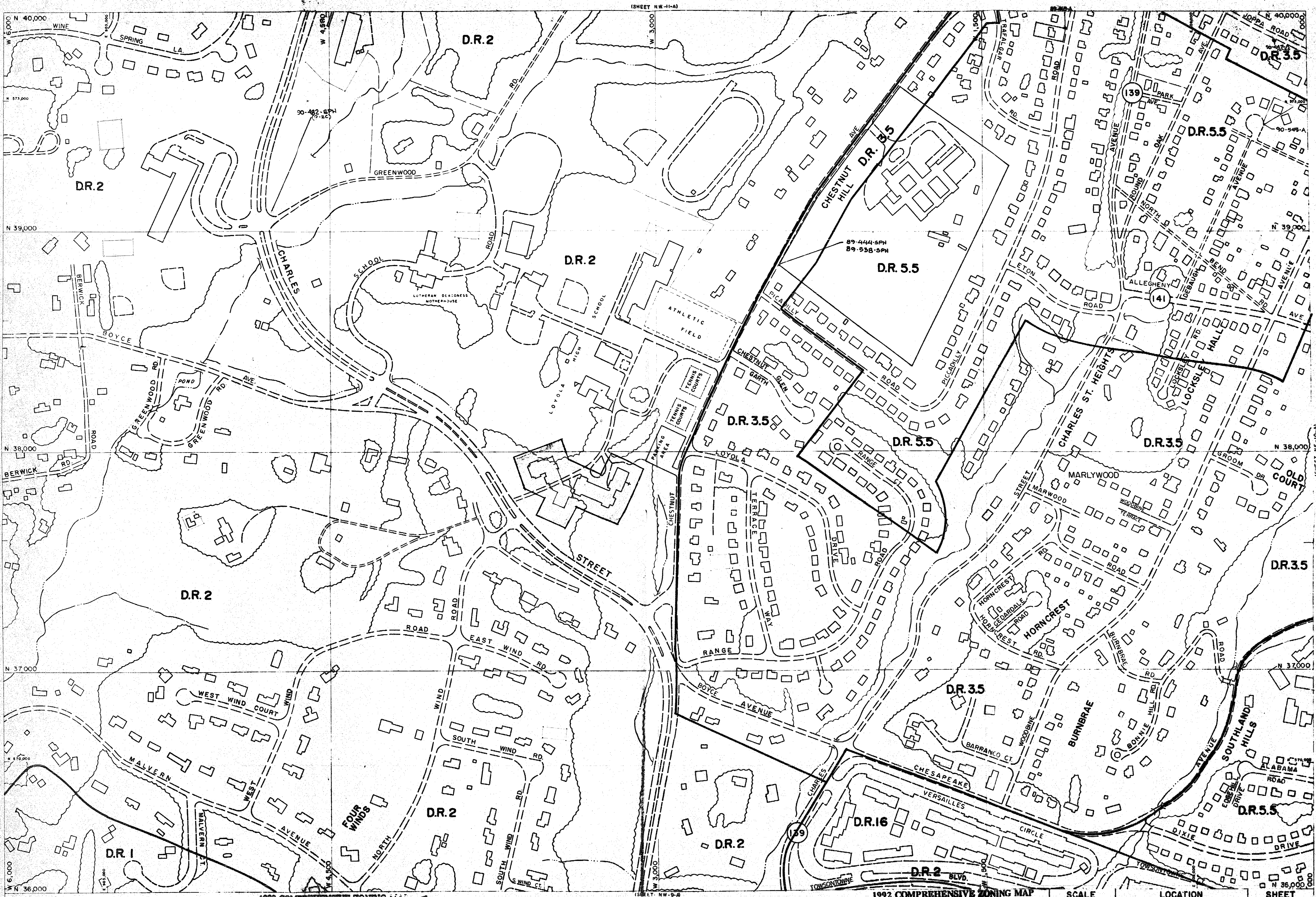
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
PLANNERS & LAND DEVELOPERS
1000 BROADWAY, SUITE 200
BALTIMORE, MARYLAND 21202
(410) 525-4010

PETITIONER'S
EXHIBIT NO. 1

4

PLAN TO ACCOMPANY A VARIANCE TO ALLOW A BUILDING TO EXCEED 300' IN LENGTH IN A DR-2 ZONE PER (BCR 1801.2B2)
CLASSROOM BUILDING AND CHAPEL
LOYOLA HIGH SCHOOL
200 CHESTNUT AVENUE
BALTIMORE, MARYLAND 21202
COUNCIL DISTRICT 9TH ELECTION DISTRICT
SCALE: 1" = 100'
JULY, 1994

95-6-A



1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992
 Bill Nos. 162-92, 164-92, 165-92, 166-92, 167-92, 168-92, 169-92

William A. Howard
 Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200' ±	TOWSON	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		10-A

95-6-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PETITIONER'S
EXHIBIT NO. 62.

SCALE	LOCATION	SHEET
1" = 200' ±	TOWSON	N.W. 10-A
DATE OF PHOTOGRAPHY JANUARY 1986		